

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:
APPLICATION OF MAURICIO MOTA
FOR AN ORDER TO TAKE DISCOVERY
FOR USE IN FOREIGN PROCEEDINGS
PURSUANT TO 28 U.S.C. § 1782

1:19-mc-00573-KPF

ORDER

WHEREAS, on December 13, 2019, Petitioner Mauricio Mota (“Petitioner”) filed an *ex parte* application for an order to take discovery from J.P. Morgan Chase & Co., Fabio Pegas, Patricia Pratini De Moraes, and Blessed Holdings Inc. (each a “Respondent”), for use in a foreign proceeding pursuant to 28 U.S.C. § 1782 (“Application”),

WHEREAS, the Application seeks discovery for use in foreign proceedings against or relating to Wesley Mendonça Batista, Joesley Mendonça Batista, J&F Investimentos S.A., JBS S.A., and Pinheiros Fundo De Investimento Em Participações (collectively, “Proposed Intervenors”),

WHEREAS, on January 3, 2020, this Court issued an order granting Petitioner’s Application (“Order”),

WHEREAS, Proposed Intervenors are not presently parties to this action and seek to intervene in this action to move to oppose, vacate the Order, and/or to quash subpoenas issued pursuant to such Order, and Petitioner does not oppose such intervention,

WHEREAS, Proposed Intervenors satisfy the criteria for intervention pursuant to Federal Rule of Civil Procedure 24,

IT IS HEREBY STIPULATED AND AGREED by Petitioner and Proposed Intervenors that:

1. Proposed Intervenors be allowed to intervene in this action;
2. Proposed Intervenors and Petitioner shall abide by the following briefing schedule with

respect to Proposed Intervenor's anticipated motion to oppose, vacate the Order, and/or to quash subpoenas issued pursuant to the Order:

- **March 7, 2020:** Deadline for Proposed Intervenor to file motion to oppose, vacate, and/or quash.
- **April 30, 2020:** Deadline for Petitioner to file its opposition.
- **May 21, 2020:** Deadline for Proposed Intervenor to file their reply.

3. Petitioner agrees to stay enforcement of and all activities related to the subpoenas it issued pursuant to the Court's Order pending resolution of Proposed Intervenor's anticipated motion to oppose, vacate and/or quash, provided that the Respondent confirms its acceptance of service thereof and agrees to a similar stay; and
4. The parties hereto reserve all their rights with respect to the contemplated motion to vacate and/or to quash.

Dated: February 4, 2020

/s/ Michael B. Carlinsky

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SO ORDERED this 4th day of February, 2020.

Katherine Polk Failla

District Judge Katherine Polk Failla